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**WISCONSIN LEGISLATIVE COUNCIL STAFF**

**1999 ANNUAL REPORT ON THE  
LEGISLATIVE COUNCIL RULES CLEARINGHOUSE\***

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\* This Report was prepared by Ronald Sklansky, Director, and Richard Sweet, Assistant Director, Rules Clearinghouse, Legislative Council Staff.



**PART I**  
**FUNCTION OF THE LEGISLATIVE COUNCIL**  
**RULES CLEARINGHOUSE**

**A. REVIEW OF RULES**

Legislative review of proposed administrative rules begins with the submission of a rule to the Legislative Council Rules Clearinghouse. Section 227.15, Stats., requires that, prior to any public hearing on a proposed rule or prior to notification of the presiding officer of each house of the Legislature if no hearing is held, an agency must submit the proposed rule to the Legislative Council Rules Clearinghouse for review by the Legislative Council Staff. (See the *Administrative Rules Procedures Manual* (September 1998), prepared by the Legislative Council Staff and the Revisor of Statutes Bureau, for more information on drafting, promulgating and reviewing administrative rules.)

The Legislative Council Staff is provided 20 working days, following receipt of a proposed rule, within which to prepare a report on its review of the rule. However, with the consent of the Director of the Legislative Council Staff, the review period may be extended for an additional 20 working days.

Upon receipt of a proposed administrative rule, the Legislative Council Staff assigns the rule a Clearinghouse rule number, records the submission of the rule in the *Bulletin of Proceedings* of the Wisconsin Legislature and prepares two numbered rule jackets, one for the Assembly and one for the Senate.

The Director of the Rules Clearinghouse assigns the rule to a Legislative Council Staff attorney or analyst for review and preparation of the statutorily required report. The staff member generally prepares the report within 10 working days and transmits the report to the Director or Assistant Director for final review. When the report on the proposed rule is completed, the staff returns to the agency the rule, the rule jackets and the Clearinghouse report containing the results of the review. [See *Appendix 1* for a sample Clearinghouse report.]

In accordance with s. 227.15, Stats., the Clearinghouse report is structured to:

1. Review the statutory authority under which the agency intends to adopt the rule.
2. Review the proposed rule for form, style and placement in the Wisconsin Administrative Code.
3. Review the proposed rule to avoid conflict with, or duplication of, existing rules.
4. Review the proposed rule to ensure that it provides adequate references to related statutes, rules and forms.

5. Review the language of the proposed rule for clarity, grammar and punctuation and to ensure the use of plain language.

6. Review the proposed rule to determine potential conflicts and to make comparisons with related federal regulations.

7. Review the proposed rule to determine whether the agency has specified the number of business days within which the agency will review and make a determination on an application for a business permit.

As part of this review process, the Legislative Council Staff is directed to ensure that procedures for the promulgation of the rule are followed, as required by ch. 227, Stats., and to streamline and simplify the rule-making process.

### **B. OTHER RELATED RESPONSIBILITIES**

Other primary rule review responsibilities of the Legislative Council Staff include the following:

1. Working with and assisting the appropriate legislative committees throughout the rule-making process.

2. Notifying the Joint Committee for Review of Administrative Rules (JCRAR) and appropriate committees of the Legislature whenever the rule-making authority of an agency is eliminated or significantly changed by the repeal, amendment or creation of a statute, by the interpretive decision of a court of competent jurisdiction or for any other reason.

3. Assisting the public in resolving problems related to administrative rules. This function includes providing information, identifying agency personnel who may be contacted in relation to rule-making functions, describing locations where copies of rules, proposed rules and forms are available and encouraging and assisting participation in the rule-making process.

The final responsibility of the Legislative Council Staff is the submission of an annual report to the chief clerk of each house of the Legislature and to the Governor summarizing any action taken by the staff and making recommendations to streamline the rule-making process and eliminate obsolete, duplicative and conflicting rules. This document is the 20th *Annual Report* submitted by the Legislative Council Staff and covers the staff's activities during calendar year 1999. This report has been preceded by an initial report to the 1979 Legislature, which covered the staff's activities from November 2, 1979 to April 1, 1980 (i.e., from the effective date of Ch. 34, Laws of 1979, which initiated the omnibus rule review process, to the end of Floorperiod IV of the 1979 Session) and annual reports for calendar years 1980 to 1998.

### **C. RECORDKEEPING SYSTEM**

The Legislature's *Bulletin of Proceedings* is used for recording actions relating to the review of administrative rules. The Legislative Council Staff, the Senate and Assembly Chief Clerks and the Legislative Reference Bureau cooperate in a computerized recordkeeping system. Commencing with the 1979 Session, action on administrative rules has been shown in a separate part of the *Bulletin of Proceedings*.

Under this system, each proposed rule is assigned a number and entered in the computer by the Legislative Council Staff. A copy of the Clearinghouse report is placed in a Senate and Assembly rule jacket (similar to bill jackets) and the rule is then transmitted to the agency promulgating the rule for its review. After transmittal, all legislative actions taken on the rule are entered on the face of the jacket and are reported to the chief clerks of each house. The chief clerks enter the actions in the computerized system, thereby compiling a history of all legislative actions taken on a rule.

At the beginning of each biennial session, the administrative rule portion of the *Bulletin of Proceedings* is updated by deletion of all records relating to rules which, in the preceding session, have become effective, have been withdrawn or have been permanently objected to by law. Also removed from the *Bulletin of Proceedings* annually and withdrawn from the rule-making process is any proposed rule that, in accordance with s. 227.14 (6) (c), Stats., has been pending for at least four years, but no more than five years, after the date of its receipt by Legislative Council Staff under s. 227.15 (1), Stats. The final *Bulletin of Proceedings* printed for the preceding session then serves as the permanent record of the disposition of those rules. The remaining rules, which are still in the promulgation process, are carried over into the new *Bulletin of Proceedings* for the following biennial session.

The Legislative Council Staff cooperates with a private reporting service that reports on recent actions taken on all proposed administrative rules moving through the legislative review process.



## **PART II**

### **1999 ACTIVITIES OF THE RULES CLEARINGHOUSE**

#### **A. LEGISLATIVE COUNCIL STAFF REVIEW OF PROPOSED ADMINISTRATIVE RULES**

During 1999, 170 proposed administrative rules were submitted to the Legislative Council Staff by 25 state agencies. One proposed rule was withdrawn prior to the preparation of a Clearinghouse report.

As of December 31, 1999, Clearinghouse reports had been completed on 161 of the 170 proposed rules and eight rules were in the process of review. In addition to the 161 rule reports completed on 1999 rules, reports were prepared in 1999 on 16 rules received in late 1998. Of the 177 reports completed in 1999, no rule required an extension of the review process by the Director of the Legislative Council Staff. Clearinghouse activities in 1999 are summarized below:

Rules Received in 1999		170
Withdrawn	1	
No report required	0	
Pending	8	
		-9
1999 Reports Completed		161
1998 Reports Completed in January 1998		+16
<b>Total Reports in 1999</b>		<b>177</b>

The table below shows that, from November 2, 1979 (the beginning of the omnibus rule review process) through December 31, 1999, the Clearinghouse has received 4,499 rule submissions and completed reviews on 4,409 proposed rules. Of the total rule submissions, 82 were exempt from the reporting process for various reasons and eight were under review at the end of 1999.

<i>Year</i>	<i>Received</i>	<i>Completed</i>	<i>Exempt</i>
1979	70	45	12
1980	252	227	24
1981	252	234	9
1982	251	254	3
1983	222	220	4
1984	255	247	2
1985	213	206	4
1986	251	252	4
1987	182	186	1
1988	219	216	5
1989	212	208	1
1990	264	254	3
1991	199	205	2
1992	225	228	0
1993	241	232	1
1994	225	234	0
1995	236	224	2
1996	194	201	1
1997	158	159	1
1998	208	200	2
1999	170	177	1
<b>Total</b>	<b>4,499</b>	<b>4,409</b>	<b>82</b>



In 1999, rules were received from the following 25 state agencies:

*Number of Proposed Rules, by Submitting Agency*

Department of Administration	2
Department of Agriculture, Trade and Consumer Protection	12
Department of Commerce	19
Department of Corrections	1
Department of Employee Trust Funds	2
Department of Employment Relations	3
Department of Financial Institutions	8
Department of Health and Family Services	17
Department of Justice	3
Department of Military Affairs	1
Department of Natural Resources	23
Department of Public Instruction	7
Department of Regulation and Licensing	23
Department of Revenue	12
Department of Tourism	1
Department of Transportation	10
Department of Veterans Affairs	1
Department of Workforce Development	4
Elections Board	3
Higher Educational Aids Board	1
Office of the Commissioner of Insurance	6
Pharmacy Internship Board	1
Public Service Commission	7
State Public Defender	2
Wisconsin Employment Relations Commission	1
<b>Total</b>	<b>170</b>

Although the statistics presented in this report give some indication of the workload of the Legislative Council Staff in reviewing proposed administrative rules, it should be noted that some proposed rules are only a few sentences long while others exceed 50 pages in length. Similarly, Clearinghouse reports vary from completion of a simple checklist to reports of multiple pages. In summary, for all rule reports completed in 1999:

1. The Legislative Council Staff commented on the *statutory authority* of a proposed administrative rule on 29 occasions.

2. The Legislative Council Staff commented on the *form, style and placement* of proposed administrative rules in the Wisconsin Administrative Code on 130 occasions.

3. The Legislative Council Staff commented on a *conflict* with, or *duplication* of, existing rules on six occasions.

4. The Legislative Council Staff commented on the *adequacy of references* of proposed administrative rules to related statutes, rules and forms on 70 occasions.

5. The Legislative Council Staff commented on *clarity, grammar, punctuation and use of plain language* in proposed administrative rules on 115 occasions.

6. The Legislative Council Staff commented on the *potential conflicts* of proposed administrative rules with, and their comparability to, related federal regulations on one occasion. In addition, the Legislative Council Staff has adopted a policy of noting when proposed rules are based on federal “*guidelines*,” which do not have the force of law, as opposed to rules based on federal “*regulations*,” which do have the force of law and with which the state may have a legal obligation to comply.

7. The Legislative Council Staff did not comment on the *permit action deadline requirement*.

## **B. WORKING WITH AND ASSISTING COMMITTEES**

Each standing committee of the Legislature, other than the Joint Committee on Finance, has a Legislative Council Staff attorney or analyst regularly assigned to it. At the time that a committee has a proposed rule referred to it by the presiding officer of the house, the assigned attorney or analyst will participate in whatever level of oversight is chosen to be exercised by the committee.

During 1999, legislative committees held hearings or requested meetings on **34 proposed rules**. Modifications to rules were either requested or received in the legislative review of **18 proposed rules**. **Two rules** were objected to by a committee.

As a result of committee activities, **two rule objections** were subject to JCRAR jurisdiction in 1999. The JCRAR nonconcurred in one objection by taking no action and objected to the second proposed rule.

The table below reviews legislative committee activity in the review of proposed administrative rules beginning on November 2, 1979 and ending on December 31, 1999.

LEGISLATIVE REVIEW OF PROPOSED ADMINISTRATIVE RULES (November 2, 1979 Through December 31, 1999)*						
Year	Rules Submitted	Rules Subject to Modification	Committee Review Objections	JCRAR Rule Objections	Enacted Laws Following Rule Objections	Enactments by Session Law and Other Description of Bills Introduced Following Rule Objections
11/2/79-80	322	18	5	1	0	No bill introduced, rule withdrawn
1981	252	29	10	4	4	Chapters 20 (SEC. 1561), 26, 31 and 180, Laws of 1981
1982	251	31	4	1	1	1983 Wisconsin Act 94
1983	222	30	5	0	0	--
1984	255	26	2	2	2	1983 Wisconsin Act 310 and 1985 Wisconsin Act 29 (SEC. 826)
1985	213	37	8	3	2	♦1985 Wisconsin Act 29 (SECS. 1059r and 2238ng to 2238or) ♦1985 Assembly Bill 460, passed and vetoed; override failed
1986	251	30	1	0	0	--
1987	182	30	5	0	0	--
1988	219	38	4	0	0	--
1989	212	22	6	2	0	♦1989 Senate Bill 89 and 1989 Assembly Bill 171 (failed to pass) ♦1989 Senate Bill 248 and 1989 Assembly Bill 457 (failed to pass)
1990	264	29	2	1	0	♦1991 Senate Bill 24 and 1991 Assembly Bill 71 (failed to pass)
1991	199	19	5	1	0	♦1991 Senate Bill 442 and 1991 Assembly Bill 840 (failed to pass after rule objected to withdrawn by agency)
1992	225	33	3	2	1	♦1993 Wisconsin Act 9 ♦1993 Senate Bill 3 and 1993 Assembly Bill 17 (failed to pass)
1993	241	24	1	0	0	--
1994	225	29	3	0	0	--
1995	236	19	0	0	0	--
1996	194	19	1	1	1	Late introduction in 1995 Session: ♦1997 Assembly Bill 5 and 1997 Senate Bill 20 (failed to pass) ♦1997 Wisconsin Act 237 (SECS. 320s, 322d and 322e)
1997	158	19	6	0	0	--
1998	208	15	0	0	0	--
1999	170	18	2	1	0	1999 Senate Bill 270 and Assembly Bill 561 pending
TOTAL	4,499	515	73	19	11 (PLUS ONE BILL PASSED AND VETOED; VETO NOT OVERRIDDEN)	

\* The general system of legislative review of proposed administrative rules, primarily embodied in ss. 227.15 and 227.19, Stats., took effect on November 2, 1979, as part of Ch. 34, Laws of 1979.

### **C. NOTICE OF CHANGE IN RULE-MAKING AUTHORITY**

To date, no court decisions or changes in legislation have been brought to the attention of the Legislative Council Staff that would require notification of JCRAR or appropriate standing committees of a change in, or the elimination of, agency rule-making authority.

### **D. ASSISTING ADMINISTRATIVE AGENCIES**

The Legislative Council Staff has responded to numerous questions from agency personnel, relating to both the process and the law governing legislative review of proposed rules.

The Director of the Rules Clearinghouse made presentations regarding the legislative review of administrative rules to the following groups and state agencies:

1. On February 22, 1999, the Director spoke to a conference hosted by the Wisconsin Farm Bureau.
2. On July 15, 1999, the Director addressed the 1999 Department of Regulation and Licensing board member workshop.

### **E. REVISION OF STATUTES DEALING WITH ADMINISTRATIVE RULE-MAKING**

1999 Wisconsin Act 9 created the following statutory provisions:

1. The act created s. 227.01 (13) (zu), Stats., to provide that when the Department of Health and Family Services (DHFS) creates standards under which investigations of the sale or gift of cigarettes or tobacco products to minors are made, the standards need not be promulgated as administrative rules.
2. The act created s. 227.113, Stats., to provide that each agency is encouraged to design its rules to reflect a balance between the mission of the agency and specified local, comprehensive planning goals.
3. The act created s. 227.14 (1s), Stats., to provide that the Department of Agriculture, Trade and Consumer Protection and the DHFS may prepare a proposed rule based on the model Food Code published by the Federal Food and Drug Administration in the format of the model Food Code.

#### **F. PUBLIC LIAISON**

To date, the Legislative Council Staff has received minimal requests from the public. These infrequent questions have either concerned aspects of the rule review procedure or have related to the status of specific rules.

RS:RNS;jal;kja;wu



***APPENDIX 1***  
***SAMPLE CLEARINGHOUSE REPORT***





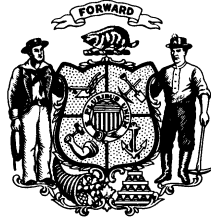
## WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC  
FORM 2

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### **CLEARINGHOUSE REPORT TO AGENCY**

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[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

#### **CLEARINGHOUSE RULE 99-150**

AN ORDER to amend ElBd 1.28 (2) (c), relating to express advocacy.

Submitted by **ELECTIONS BOARD**

10-26-99      RECEIVED BY LEGISLATIVE COUNCIL.

11-22-99      REPORT SENT TO AGENCY.

RNS:RJC;jal;rv

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES ☐      NO ☒

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES ☒      NO ☐

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES ☐      NO ☒

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES ☒      NO ☐

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES ☒      NO ☐

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES ☐      NO ☒

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

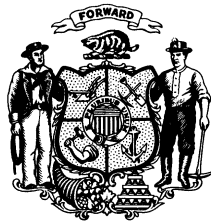
Comment Attached      YES ☐      NO ☒

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## **CLEARINGHOUSE RULE 99-150**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

#### **2. Form, Style and Placement in Administrative Code**

a. Only those provisions of the current administrative code actually being amended should be replicated in the rule. Thus, s. ElBd 1.28 (1) (intro.) and (2) (intro.) should be deleted. However, the board may wish to use this rule to correct s. ElBd 1.28 (1) (intro.) to read: “As used in this section:”.

b. Since the bulk of s. ElBd 1.28 (2) (c) is being added, it may be preferable to simply repeal and recreate the entire paragraph. This would remove the need for such significant under-scoring. Also, each subdivision in par. (c) should end with a period, rather than a semicolon.

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

a. The cover letter to the rule submitted to the Clearinghouse asserts that there are no court decisions directly relating to the content or adoption of the rule. The analysis to the rule correctly contradicts that assertion. In addition, the Wisconsin Supreme Court case referenced can now be referred to by its reporter citations (227 Wis. 2d 650, 597 N.W.2d 721). The official caption of that case should also be reviewed and corrected in the rule as necessary.

b. The “NOTICE OF PROPOSED RULE” lists several statutory sections as authority for, or as being interpreted by, the rule. It appears that only the references to ss. 5.05 (1) (f) and 227.11 (2) (a) directly relate to the contents of the rule. The other references should be reviewed closely and changed if necessary. This same problem exists in the paragraph immediately preceding SECTION 1 of the rule, the introductory clause. In addition, that paragraph misidentifies the administrative rule sections being amended in the rule. The statutory basis for the rule, the statutes being interpreted by the rule and the administrative code provisions modified by the rule should all be reviewed carefully so accurate information is being presented to readers of the rule.

## **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. The rule’s analysis is largely unhelpful in understanding the intent and impact of the rule. First, the analysis fails to put the rule changes in context. It does not explain why the rule is necessary or why the current rule is insufficient. This omission seems even more egregious when one considers that the current rule, and the statute which it interprets, also appear to be based on the holding of *Buckley*. The analysis is also silent with respect to the necessity and effect of the extension of the express advocacy tests, which the rule asserts were set forth in the two cases cited, to include the “functional equivalents” of the listed terms. As noted in the comment below, the rule’s clarity with respect to the term “functional equivalents” is less than ideal. The analysis could go a long way in clarifying the term’s meaning. Finally, the analysis fails to answer the question which readers of the rule will most likely want to know: How does the rule treat the types of communications like the ones at issue in the *WMC* case? Is it the board’s intent to bring those types of communications within the scope of the rule, apply a case-by-case test or exclude them altogether? If this rule is a reaction to the *WMC* case, which the contents of the analysis seem to imply, it would be helpful to clarify in plain language the import and meaning of that reaction.

b. Although it is clear from the text of s. ElBd 1.28 (2) (c) that the identified list of words and phrases are not intended as an exhaustive list, the rule’s clarity is considerably lessened by the use of both phrases “such as the following” and “or their functional equivalents.” One might suggest that the two phrases are trying to identify the same type of terms. For example, “Vote for Smith,” because it is one of the identified terms, would clearly fall under the rule. Additionally, it is presumed that the slogan “Pick Smith” would also become subject to reporting requirements because it is a term such as “vote for” and because it acts as a “functional equivalent” to “vote for.” Thus, it appears that there would be no need for the use of both descriptive phrases. Since it seems the phrase “such as the following” is broad enough to include the “functional equivalents” of the terms, it could be argued that the second term is redundant and should be deleted from the rule.

Another possibility evident from the use of both phrases, however, is that something other than literal functional equivalents are intended to be included under the scope of the rule. In other words, “functional equivalent” is intended to include words and phrases that, depending on their use, serve the same function as the listed terms. Thus, the rule creates a context-based test in which communications will be reviewed to determine whether they contain terms that function like the listed terms based on factors such as the way they are used, the timing of the

communications and the intended audience. Under this possible interpretation, the phrase “Let Smith know how you feel” run on the eve of an election could be considered a functional equivalent of “Vote for Smith” or “Defeat Smith.”

Whatever the intent of the rule, however, the rule should be clarified so that the public, especially members of the public who might be subject to the rule, know the intended scope of the rule. Clarifying the rule would help to provide sufficient warning before communications are run that a context-based standard is, or is not, going to be used to determine whether the communications are subject to regulation.

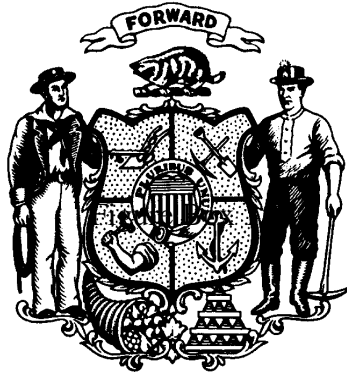
c. The phrase “and that unambiguously relates to the campaign of that candidate” is somewhat confusing in light of its use as an additional criterion to determine whether or not a communication is subject to the rule. The rule requires that the triggering terms be used with reference to a “clearly identified candidate” and be used to “expressly advocate[] the election or defeat of that candidate.” Could a communication expressly advocate the election or defeat of a candidate without unambiguously relating to the campaign of that candidate while using the triggering terms? Perhaps this is additional evidence that the rule intends to use a context-based analysis. In any event, the rule’s clarity could be enhanced, possibly through an explanatory note to the rule or examples of the rule’s application to various communications, by identifying how the above phrases are intended to be interpreted in conjunction with each other.



***APPENDIX 2***  
***PROCESSING INSTRUCTIONS TO AGENCY HEADS***







***1999 ANNUAL REPORT  
ON THE LEGISLATIVE COUNCIL  
RULES CLEARINGHOUSE***

**WISCONSIN LEGISLATIVE COUNCIL STAFF**

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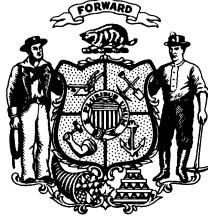
**January 2000**

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### PROCESSING INSTRUCTIONS TO AGENCY HEADS

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[ENCLOSED ARE THE SENATE AND ASSEMBLY RULE JACKETS CONTAINING THE LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT. AN ADDITIONAL COPY OF THE CLEARINGHOUSE REPORT IS ENCLOSED FOR YOUR FILES.]

**PLEASE NOTE:** Your agency must complete the following steps in the legislative process of administrative rule review:

4. On the appropriate line on the face of both clearinghouse rule jackets, enter, in column 1, the appropriate date and, in column 2, "Report Received by Agency."

5. On the appropriate line or lines on the face of both clearinghouse rule jackets, enter, in column 1, the appropriate date or dates and, in column 2, "Public Hearing Held" OR "Public Hearing Not Required."

6. Enclose in both clearinghouse rule jackets, in triplicate, the notice and report required by s. 227.19 (2) and (3), Stats. [The report includes the rule in final draft form.]

7. Notify the presiding officer of the Senate and Assembly that the rule is in final draft form by hand delivering the Senate clearinghouse rule jacket to the Senate Chief Clerk and the Assembly clearinghouse rule jacket to the Assembly Chief Clerk. At the time of this submission, on the appropriate line on the face of the clearinghouse rule jacket, each Chief Clerk will enter, in column 1, the appropriate date and, in column 2, "Report Received from Agency." Each clearinghouse rule jacket will be promptly delivered to each presiding officer for referral of the notice and report to a standing committee in each house.

8. If the agency does not proceed with the rule-making process on this rule, on the appropriate line on the face of both clearinghouse rule jackets, enter, in column 1, the appropriate date and, in column 2, "Rule Draft Withdrawn by Agency" and hand deliver the Senate clearinghouse rule jacket to the Senate Chief Clerk and the Assembly clearinghouse rule jacket to the Assembly Chief Clerk.

**FOR YOUR INFORMATION:** A record of all actions taken on administrative rules is contained in the Bulletin of Proceedings of the Wisconsin Legislature. The clearinghouse rule jackets will be retained by the Legislature as a permanent record.

[See reverse side for jacket sample.]

WLCS  
JRH:jal:kja  
01/00

**-- SAMPLE --**

**CLEARINGHOUSE RULE ASSEMBLY** 99-150

AN ORDER to amend ElBd 1.28 (2) (c), relating to express advocacy.

Submitted by Elections Board

# CLEARINGHOUSE RULE ASSEMBLY

[illegible]

**NOTE:** EACH SUBSEQUENT ACTION TAKEN BY A STANDING COMMITTEE OR THE JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES WILL BE ENTERED ON THE JACKETS BY APPROPRIATE LEGISLATIVE STAFF.

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January 2000

TO: THE HONORABLE TOMMY G. THOMPSON, GOVERNOR,  
AND THE WISCONSIN LEGISLATURE

This report is submitted to you pursuant to s. 277.15 (5), Stats. Under that statute, the Legislative Council Staff is directed to submit an annual report "summarizing any action taken and making recommendations to streamline the rule-making process and eliminate obsolete, duplicative and conflicting rules."

This report covers calendar year 1999.

We believe that the report will be informative.

Respectfully submitted,

Jane R. Henkel  
Acting Director

JRH:jal;wu

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s. 13.81, Stats.

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